

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

FILED - CLERK
U.S. DISTRICT COURT
05 JUN -1 PM 4:40
TX EASTERN - BEAUMONT
BY 7c

LAURA B. MILLER

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V.

NO. 1:04-CV-752

E. I. DUPONT/INVISTA, and
KOCH INDUSTRIES

**ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**


The court heretofore ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, to address pretrial matters and make recommendations. The court has received and considered the Report of the United States Magistrate Judge pursuant to such order, along with the record, pleadings and all available evidence.

The magistrate judge recommended that this action be dismissed for failure to perform effective service of process, pursuant to Fed. R. Civ. P. 4(m). Plaintiff has not filed objections to the magistrate judge's report and recommendation.

The court has considered the magistrate judge's report. Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. It is therefore

ORDERED and **ADJUDGED** that this action is **DISMISSED**. All pending motions are hereby **DENIED**. Final judgment will be entered separately.

SIGNED this 1st day of June, 2005.



HOWELL COBB
UNITED STATES DISTRICT JUDGE